

BILL NO. S-70-10-28

SPECIAL ORDINANCE NO. S-604-70

AN ORDINANCE approving Agreement with ARDMORE PLAZA, INC. for construction of sanitary sewer to serve Ardmore Plaza.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Bower Extension Agreement, approved October 8, 1970, between ARDMORE PLAZA, INC., as Developer, and the CITY OF FORT WAYNE, INDIANA, by and through its Mayor and the Board of Public Works, as City, for the construction of a Sanitary Sewer to serve Ardmore Plaza, the total cost of said sewer to be borne by Developer, all as more particularly set forth in said Agreement, which is on file in the office of the Board of Public Works, and is by reference incorporated herein and made part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. That the Developer, and any owner or owners of land, their successors in title and assigns, which is now or may hereafter be located outside the corporate limits of the City of Fort Wayne, Indiana, who taps into the water main covered in said Agreement, or any extension thereof, shall be deemed to thereby waive his, her, their or its right to remonstrate against or otherwise object to, interfere with, or oppose any pending or future annexation to said City of Fort Wayne, Indiana, of such land or territory in which said land is located.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Celia Ann Fay

APPROVED AS TO FORM
AND LEGALITY

[Signature]
CITY ATTORNEY

Read the first time in full and on motion by Fay seconded by Steigerwald and duly adopted, read the second time by title and referred to the (Committee on) Public Works (and to the City Planning Commission for recommendation) (and Public Hearing to be held after due legal notice, at the Council Chambers, City Hall, Fort Wayne, Indiana, on the 10 day of November 196 70, at 1 o'clock P.M., E.S.T.

Date: 10-27-70

Harold S. Bonachoon
City Clerk

Read the third time in full and on motion by Fay seconded by Nuckols and duly adopted, placed on its passage.

Passed (~~LOST~~) by the following vote:

AYES	<u>9</u>	NAYS	<u>0</u>	ABSTAINED	<u> </u>	ABSENT	<u> </u>	to-wit:
Adams	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	
Dunifon	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	
Fay	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	
Geake	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	
Nuckols	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	
Robinson	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	
Rousseau	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	
Steigerwald	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	
Tipton	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	

Date 11-10-70

Harold S. Bonachoon
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~Zoning Map~~) (General) (Annexation) (Special) (~~Appropriation~~) Ordinance (~~Resolution~~) No. 5664-70

on the 10th day of November, 196 70.

ATTEST:

(SEAL)

Harold S. Bonachoon
City Clerk

Herbert Tipton
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of November, 196 70 at the hour of 8:30 o'clock A.M., E.S.T.

Harold S. Bonachoon
City Clerk

Approved and signed by me this 12th day of November, 196 70, at the hour of 1:59 o'clock P.M., E.S.T.

Harold S. Zeis
Mayor

Bill No. S-70-10-28

REPORT OF THE COMMITTEE ON PUBLIC WORKS

We, your Committee on Public Works to whom was referred an Ordinance
approving Agreement with ARDMORE PLAZA, INC. for construction of sanitary sewer
to serve Ardmore Plaza,

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance DO PASS.

JOHN NICKOLS, Chairman

CELTA ANN FAY, Vice-Chairman

THOMAS G. ADAMS

JACK K. DUNLON

EDWIN J. ROUSSEAU

John Ann Fay
Thomas G. Adams
Jack K. Dunlop
Edwin J. Rousseau

CONCURRED IN

DATE 11-10-70 FUAD G. BONAHOOM, CITY CLERK